

REMARKS

Amendments

Claims 1-24 were pending. Claims 19-24 are canceled. After entry of this amendment, Claims 1-18 are pending. These amendments add no new matter to the application. Applicants respectfully request that the amendments be entered and considered for full examination on the merits. Applicants hereby reserve the right to file a continuation/divisional application to the canceled subject matter.

Restriction Requirement

The Examiner has required restriction between the following groups:

Group I: Claims 1-18, drawn to compositions and kits comprising a prepolymeric material; exogenous trigger, and rheological modifier wherein the prepolymeric material is an acrylate, classified in class 424, subclass 78.31.

Group II: Claims 1-18, drawn to compositions and kits comprising a prepolymeric material; exogenous trigger, and rheological modifier wherein the prepolymeric material is a methacrylate, classified in class 424, subclass 78.31.

Group III: Claims 1-18, drawn to compositions and kits comprising a prepolymeric material; exogenous trigger, and rheological modifier wherein the prepolymeric material is an acrylamide, classified in class 424, subclass 78.31.

Group IV. Claims 1-18, drawn to compositions and kits comprising a prepolymeric material; exogenous trigger, and rheological modifier wherein the prepolymeric material is a methacrylamide, classified in class 424, subclass 78.31.

Group V. Claims 1-18, drawn to compositions and kits comprising a prepolymeric material; exogenous trigger, and rheological modifier

wherein the prepolymeric material is a styrene, classified in class 424, subclass 78.31.

VI. Claims 1-18, drawn to compositions and kits comprising a prepolymeric material; exogenous trigger, and rheological modifier wherein the prepolymeric material is a vinyl acetate, classified in class 424, subclass 78.31.

VII. Claims 1-18, drawn to compositions and kits comprising a prepolymeric material; exogenous trigger, and rheological modifier wherein the prepolymeric material is an acrylonitrile, classified in class 424, subclass 78.31.

VIII. Claims 1-18, drawn to compositions and kits comprising a prepolymeric material; exogenous trigger, and rheological modifier wherein the prepolymeric material is not one of Groups I-VII above, classified in class 424, subclass 78.31.

IX. Claims 1-18 and 19, drawn to a method site specific delivery of a composition as set forth in claim 19 comprising a prepolymeric material; exogenous trigger, and rheological modifier, classified in class 424, subclass 9.1.

X. Claims 1- 18 and 20 drawn to a method site specific vascular embolization via a catheter as set forth in claim 20 comprising a prepolymeric material; exogenous trigger, and rheological modifier, classified in class 424, subclass 78.31.

XI. Claims 1- 18 and 21 drawn to a method of bulking tissue in a mammal as in claim 21 comprising a prepolymeric material; exogenous trigger, and rheological modifier, classified in class 424, subclass 98.31.

XII. Claims 1-18 and 23, drawn to a method of delivering a composition comprising a medicament as set forth in claim 23 comprising a

prepolymeric material; exogenous trigger, and rheological modifier, classified in class 424, subclass 78.31.

Applicants hereby elect, with traverse, Group II, Claims 1-18, for examination. Applicants traverse the restriction and submit that search and examination of the entire application would not be a serious burden. MPEP § 803.

Claims 22 and 24 are not included in any of the above groups; clarification is requested.

Election of Species Requirement

The Office Action states that Claims 1-24 are generic to a plurality of disclosed patentably distinct species and requires Applicants to elect a single disclosed species under the provisions of 35 U.S.C. §121. The Office Action further requires that, Applicants are to elect a species of a specific prepolymeric material, a specific exogenous trigger, a rheological modifier, contrast agent, thickening agent, plasticizers, radioactive agent, surfactants, medicament, delivery device, and tissue site appropriate for the elected group.

In view of the above, Applicants elect, without traverse, the species shown in Table 1:

Table 1.

Species	Election	Claims that read on the Election
Prepolymeric material	2-Hydroxyethyl methacrylate	1, 2, and 5
Exogenous trigger	Azo initiator, e.g. Wako VA-044	1, 3, and 4
rheological modifier	Fumed silica	6 and 7
contrast agent	Tantalum	9-11
thickening agent	Carboxymethyl cellulose	14
plasticizer	Glycerol esters	14
radioactive agent	¹²⁵ iodine	14-16

surfactant	non-ionic, e.g. Tween	14
medicament	thrombotic agent	17 and 18
Delivery device	Medical catheter	Not applicable
Tissue site	Arterial vasculature	Not applicable

As shown in Table 1 above, Claims 1-7, 9-11, and 14-18 are believed to read on the elections made.

Applicants hereby request early examination on the merits.

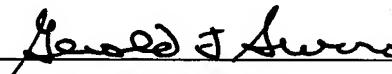
The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. As one month extension of time is needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of extension fees to Deposit Account No. 50-0872.

Respectfully submitted,

Date 10-20-05

By



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